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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,819	11/13/2003	Alistair Neil Coles	200206476-2	8847

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

NGUYEN, PHUOC H

ART UNIT	PAPER NUMBER
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2143

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/712,819	Applicant(s) COLES ET AL.	
	Examiner Phuoc H. Nguyen	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/04/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-44 are rejected under 35 U.S.C. 102(e) as being anticipated by Kraft et al.

(Hereafter, Kraft) U.S. Patent 6,832,239.

Re claim 1, Kraft discloses a computing device (e.g. Figures 2 and 6, enhanced proxy server 604) which comprises a receiver (e.g. request manager 604a-d) and transmitter (e.g. response dispatch manager 604e), the receiver being arranged to receive a plurality of data requests from a plurality of data-receiving applications (e.g. col. 5 lines 13-15, request manager 604a-d receives a plurality of requests from the clients), said plurality of data requests forming a request group (e.g. col. 10 lines 50-58), and also to receive data from a store (e.g. response dispatch manager capable of receiving data from the file server 602), and the transmitter being arranged to transmit data to said store and to transmit received-data received from said store to said data-receiving applications (e.g. col. 13 lines 17-25) , further, said computing device being arranged to process requests for data received by said receiver from said data-receiving applications, identify said received data requests as belonging to the group, evaluate said requests and to produce a single request for the data-requests within said request group and

generated by said evaluation and to cause said transmitter to transmit said single request to said data-store and further to receive data from said data-store, process said received-data and to transmit said received data, or portions thereof, to at least one of said data-receiving applications (e.g. Figure 6; col. 10 lines 32-58; col. 11 lines 46-48; and col. 13, lines 17-25).

Re claim 2, Kraft further discloses evaluation comprises postponing sending said single request until all requests within a request group have been received (e.g. Figures 6 and 10).

Re claim 3, Kraft further discloses evaluation comprises sending said single request on receipt of the first request within a request group (e.g. col. 12, 2nd paragraph).

Re claim 4, Kraft further discloses evaluation comprises monitoring requests within a request group and transmitting said single request when the computing device has received sufficient data to create said single request from data-requests made thereto (e.g. col. 12, 2nd paragraph).

Re claim 5, Kraft further discloses evaluation comprises merging data-requests received from said data-receiving applications such that said single request comprises a consolidated request comprising at least portions of said data-requests (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Re claim 6, Kraft further discloses the data-requests comprise data providing a portion of a form (e.g. col. 10 lines 47-52).

Re claim 7, Kraft further discloses the single data-request comprises data providing all of, or substantially all of, a form (e.g. col. 11, lines 46-48).

Re claim 8, Kraft further discloses a proxy server and/or an application running on a data-receiving device and/or a store such as a server (e.g. Figure 2).

Re claim 9, Kraft further discloses identification of the received data-requests as belonging to a group is achieved by reading a portion of the data-request that provides a group identity (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Re claim 10, Kraft further discloses arranged to use the Hyper Text Transfer Protocol (http) for any of the following: receive data-requests, transmit said single request; receive data from said store, transmit data to said data-receiving applications (e.g. Figures 3a-3c).

Claim 11 list all the same elements of claim 1, but in method form rather than computing device. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 11.

Re claim 12, Kraft further discloses evaluation comprises one of the following:

- i. stalling said single request until all requests within a request group have been received;
- ii. sending said single request on receipt of the first request within a request group;
- iii. merging data-requests received from said data-receiving applications such that said single request comprises a consolidated request; and
- iv. monitoring requests within a request group and transmitting said single request when the processor has received sufficient data from said data-requests to create said single request (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Claim 13 list all the same elements of claim 1, but in method form rather than computing device. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 13.

Re claim 14, Kraft further discloses the data-receiving applications are arranged to communicate with one another via inter data-receiving application messages (e.g. Figure 9).

Re claim 15, Kraft further discloses a data-receiving application is arranged to generate and send a data-request to said data-processor following receipt of an inter data-receiving application message (e.g. Figure 9).

Re claim 16, Kraft further discloses data-receiving applications are arranged to add a data-request group identity to said data request and/or a data-receiving device/application identity before or during transmission of said data-request to said data-processor (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Re claim 17, Kraft further discloses data-receiving applications are arranged to add to said data request one of the following: the number of data-requests that are to be made to said data-processor, in a data-request group; or a list of the data-receiving applications/devices that are to make a data-request to said data-processor (e.g. col. 10, last paragraph).

Re claim 18, Kraft further discloses data-processor is arranged to identify the first data-request received thereby within a data-request group (e.g. Figure 3c, 326).

Re claim 19, Kraft further discloses data-processor is arranged to transmit said single request once said first data-request received has been identified (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Re claim 20, Kraft further discloses data-processor is arranged neither to transmit to said store nor respond to said data-requests which are within a data-request group which are not the first data-request received thereby in that data-request group until data has been received from said store in response to said single request transmitted following said first data-request (e.g. Figures 3c and 8).

Re claim 21, Kraft further discloses data-processor is arranged neither to transmit to said data store nor respond to said data-requests within a data-request group until all data-requests in that data-request group have been received thereby (e.g. Figures 3c and 8).

Re claim 22, Kraft further discloses data-processor is arranged to merge data-requests within a data-request group in to a consolidated request, comprising at least portions of said data-requests, and to send said consolidated request as said single request (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Re claim 23, Kraft further discloses data-processor is arranged to delay sending said single request to said data store until said data-processor has received sufficient data from said data-requests to create said single request (e.g. Figure 3c; the delay is based upon the schedule manager to determine if client is next in line).

Re claim 24, Kraft further discloses data request can comprise any of the following: a partial data-request in which a portion of the data required to generate said single request is provided by that data-request; or a complete data-request in which all of the data required to generate said single request is provided by that data-request (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Re claim 25, Kraft further discloses data-processing applications are arranged to add data to said data-requests which identifies whether said data request is partial data-request or a complete data-request (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Re claim 26, Kraft further discloses data-receiving applications are arranged to add to said single request the capabilities of said data-receiving application and/or data-receiving device on which said application is running for a single application/device and/or for each

application/device within a data-request group (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Re claim 27, Kraft further discloses data-processor processes said capabilities received in said data-requests and ensure that said single request includes the capabilities for all data-receiving applications/devices within a request group (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Re claim 28, Kraft further discloses data store sends a plurality of versions of the data requested in the single request according to the capabilities listed in the single request (e.g. col. 13, 2nd paragraph).

Claim 29 list all the same elements of claim 9, but in method form rather than computing device. Therefore, the supporting rationale of the rejection to claim 9 applies equally as well to claim 29.

Claim 30 list all the same elements of claim 10, but in method form rather than computing device. Therefore, the supporting rationale of the rejection to claim 10 applies equally as well to claim 30.

Claim 31 list all the same elements of claim 1, but in method form rather than computing device. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 31.

Re claim 32, Kraft discloses a data-structure comprising a request for data, a data-request group identity indicating membership of a group of a plurality of data-receiving applications and/or data-receiving devices forming a data-request group (e.g. Figures 2-6; (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Re claim 33, Kraft further discloses a data-structure according to claim 32 which includes any of the following: the number of data-requests that are to be made to said data-processor in a data-request group; a list of the data-receiving applications/devices that are to make a data-request to said data-processor (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Re claim 34, Kraft further discloses a data-structure includes the capabilities of said data-receiving application and/or data-receiving device on which said application is running (e.g. Figure 3a).

Re claim 35, Kraft further discloses a data-structure includes the capabilities for each data-receiving application/device within a data-request group (e.g. Figures 3a-c).

Claim 36 list all the same elements of claim 1, but in a computer readable medium form rather than computing device. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 36.

Claim 37 list all the same elements of claim 31, but in a computer readable medium form rather than computing device. Therefore, the supporting rationale of the rejection to claim 31 applies equally as well to claim 37.

Claim 38 list all the same elements of claim 1, but in a computer readable medium form rather than computing device. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 38.

Claim 39 list all the same elements of claim 13, but in a computer readable medium form rather than computing device. Therefore, the supporting rationale of the rejection to claim 13 applies equally as well to claim 39.

Claim 40 list all the same elements of claim 32, but in a computer readable medium form rather than computing device. Therefore, the supporting rationale of the rejection to claim 32 applies equally as well to claim 40.

Claim 41 is substantially the same as claim 1 and is thus rejected for reasons similar to those in rejecting claim 1. Furthermore regarding computing device is further arranged such that said evaluation comprises one of: postponing sending said single request until all requests within a request group have been received; sending said single request on receipt of the first request within a request group; monitoring requests within a request group and transmitting said single request when the computing device has received sufficient data to create said single request from data-requests made thereto; and merging data-requests received from said data-receiving applications such that said single request comprises a consolidated request comprising at least portions of said data-requests (e.g. col. 10 last paragraph; and col. 11, lines 46-48).

Claim 42 list all the same elements of claim 1, but in a processing form rather than computing device. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 42.

Claim 43 list all the same elements of claim 1, but in system form rather than computing device. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 43.

Claim 44 list all the same elements of claim 1, but in method form rather than computing device. Therefore, the supporting rationale of the rejection to claim 1 applies equally as well to claim 44.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Price et al. U.S. Pat. 5,649,092

Binford et al. U.S. Pat. 5,671,365

Held et al. U.S. Pat. 5,699,518

Schloss, R. Jeffrey U.S. Pat. 5,706,507

Ekanadham et al. U.S. Pat. 5,745,781

Stumm, Christian U.S. Pat. 5,768,528

Wong et al. U.S. Pat. 5,835,727

Miller et al. U.S. Pat. 5,878,228

Mighdoll et al. U.S. Pat. 5,918,013

Xue, Yansheng U.S. Pat. 5,956,709

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H. Nguyen whose telephone number is 571-272-3919.

The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phuoc H Nguyen/
Primary Examiner, Art Unit 2143

February 28, 2008